

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S of Samantha's Court, 15 ft. E		
centerline of Sacred Heart Lane	*	DEPUTY ZONING COMMISSIONER
4th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(421 Samantha's Court)		
	*	CASE NO. 02-387-A
Janice G. & Bruce J. Norris		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Janice and Bruce Norris. The variance request is for property located at 421 Samantha's Court in the Reisterstown area of Baltimore County. The variance request is from Section 427.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear fence height of 72 inches adjacent to the front yard of a neighbor in lieu of the maximum permitted fence height of 42 inches. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.


The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

OFFICE OF THE DEPUTY ZONING COMMISSIONER
 DATE 4/11/02
 BY R. J. [Signature]

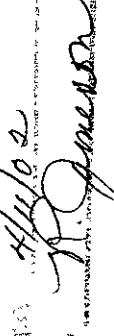
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of April, 2002, that a variance from Section 427.A of the B.C.Z.R., to permit a rear fence height of 72 inches adjacent to the front yard of a neighbor in lieu of the maximum permitted fence height of 42 inches, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CHIEF OF PLANNING
APR 18 2002
BY 



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 11, 2002

Mr. & Mrs. Bruce J. Norris
421 Samantha's Court
Reisterstown, Maryland 21136

Re: Petition for Administrative Variance
Case No. 02-387-A
Property: 421 Samantha's Court

Dear Mr. & Mrs. Norris:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 421 Samantha's Court
which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 427. A. (B.C.Z.R.)

TO PERMIT A REAR FENCE HEIGHT OF 72 INCHES ADJACENT TO THE FRONT YARD OF A NEIGHBOR IN LIEU OF THE MAXIMUM PERMITTED FENCE HEIGHT OF 42 INCHES.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Bruce J. Norris
Name - Type or Print

Bruce J. Norris
Signature

Janice G. Norris
Name - Type or Print

Janice G. Norris
Signature

421 Samantha's Ct. 410-517-2826
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-387-A

Reviewed By D. THOMPSON Date 3/13/02

Estimated Posting Date 3/25/02

REV 10/25/01

ORDER RECEIVED FOR FILING

Date 4/11/02
By [Signature]

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 421 Samantha's Court
Address
Reisterstown MD 21136
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

A residential fence in a side or rear yard which adjoins a residential front yard cannot exceed forty-two inches, if it is set back zero to ten feet. We want to build a six foot fence for privacy that is set back one foot from our property line. Our rear yard adjoins the front yard of our neighbor, on a flag lot. We will angle the fence at the corner and there is a total of five feet from the driveway edge to where the fence will start.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Bruce J. Norris
Signature
Bruce J. Norris
Name - Type or Print

Janice G. Norris
Signature
Janice G. Norris
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of March, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Bruce J. Norris and Janice G. Norris
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Patricia Markert
Notary Public

My Commission Expires April 1, 2003

ZONING DESCRIPTION FOR 421 Samanath's Court

Beginning at a point on the North side of Samantha's Court which is 30 feet wide at a distance of 15 feet East of the centerline of the nearest improved intersecting street Sacred Heart Lane which is 30 feet wide. Begin Lot # 18, Section Two in the subdivision of "DeFLORA PROPERTY" as recorded in Baltimore County Plat Book # 68, Folio # 67, containing 5775 square feet. Also known as 421 Samantha's Court and located in ~~the~~ 4th Election District, 3rd Councilmanic District.

COUNTY, MARYLAND
DEPT & FINANCE
US RECEIPT

No. **11232**

02 ACCOUNT R0010066150

AMOUNT \$ 50.⁰⁰

-MRS. NORRIS

. ADM. VAR. ITEM #387 02-387-A

NANTHA'S CT. BY D. THOMPSON

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
3/13/2002	3/13/2002	11:25
REG 4502	CASHIER JENA JEE DRI	
>> RECEIPT # 193545		
DEPT 5	528 ZONING VERIFICATION	
CR NO.	011232	

Rec'd Tot
50.00
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-387-A

Petitioner/Developer: JANICE G.

NORRIS & BRUCE NORRIS

Date of Hearing/Closing: 4/9/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 421 SAMANTHA'S

COURT

The sign(s) were posted on 3/25/02
(Month, Day, Year)

Sincerely,

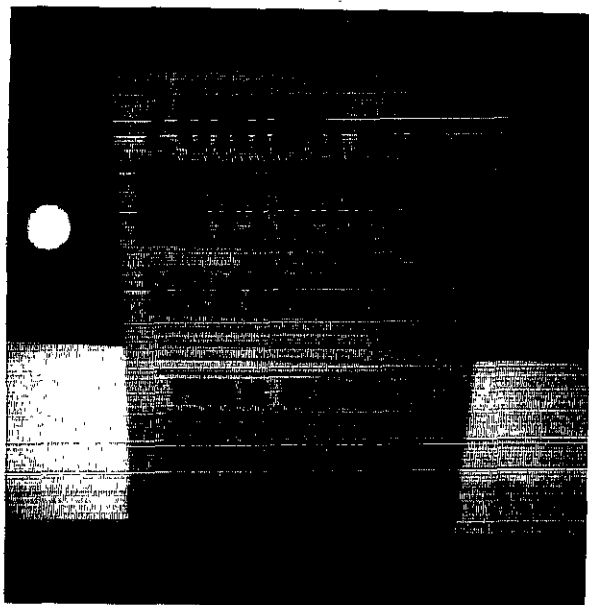
[Signature] 3/25/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

1508 Lealie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-387-A

Petitioner: NORRIS

Address or Location: 421 SAMANTHA'S CT., 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. & MRS. BRUCE J. NORRIS

Address: 421 SAMANTHA'S CT.
REISTERSTOWN, MD 21136

Telephone Number: 410-517-2826

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 387 -A

Address 421 SAMANTHA'S COURT

Contact Person: DONNA THOMPSON

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 3/13/02

Posting Date: 3/25/02

Closing Date: 4/9/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 1 **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- 2 **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- 3 **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- 4 **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 387 -A

Address 421 SAMANTHA'S COURT

Petitioner's Name NORRIS

Telephone 410-517-2826

Posting Date: 3/25/02

Closing Date: 4/9/02

Wording for Sign: TO PERMIT A REAR FENCE HEIGHT OF 72 INCHES ADJACENT TO THE FRONT YARD OF A NEIGHBOR IN LIEU OF THE MAXIMUM PERMITTED FENCE HEIGHT OF 42 INCHES.

WCR - Revised 6/28/00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 8, 2002

Mr. & Mrs. Bruce J Norris
421 Samantha's Court
Reisterstown MD 21136

Dear Mr. & Mrs. Norris:

RE: Case Number: 02-387-A, 421 Samantha's court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDD
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Fire Department

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 25, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

378, 381, 383, 386-389, 391-394, 396-400

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File
COUNTY REVIEW GROUP MEETING{PRIVATE }

County Review Group comments

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS/TBT*

DATE: April 30, 2002

Zoning Advisory Committee Meeting of March 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

378, 379, 380, 383, 384, 385, 386, (387), 389, 390, 392, 395, 396, 397, 399

AV
4/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 29, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

MAR 29 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-362, & 02-364, 02-367, 02-387, 02-391,
and 02-393

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Lynn D. Doherty

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.26.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 387

DT

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1- Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

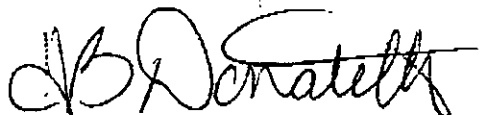
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Case # 02-387-A

To Whom It May Concern:

We Eric and Heather Donatelli, residents of 419 Samantha's Court, do not have a problem with the proposed 6 foot fence to be built by our neighbors Bruce and Janice Norris at 421 Samantha's Court.


Eric A. Donatelli

FAX TRANSMITTAL

TO	Donna Thompson	DATE	March 14, 2002
FIRM	Baltimore County - Zoning & Permits		
FAX	410-887-2824	PHONE	
FAX COPIES TO			
		FAX	
		FAX	
FROM	Janice Norris	EMPLOYEE NUMBER	
DIRECT FAX	410-887-2824		
PROJECT			
PROJECT NUMBER		FILE	2300
ORIGINAL TO FOLLOW VIA	MAIL	OVERNIGHT	
COMMENTS			

Donna,

Please add this note from our neighbors' to our Administrative Variance paperwork.
Case # 02-387-A

Thanks,
Janice Norris

RTKL Associates Inc.
One South Street
Baltimore, MD 21202

410 528 8600
FAX 410 385 2455

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

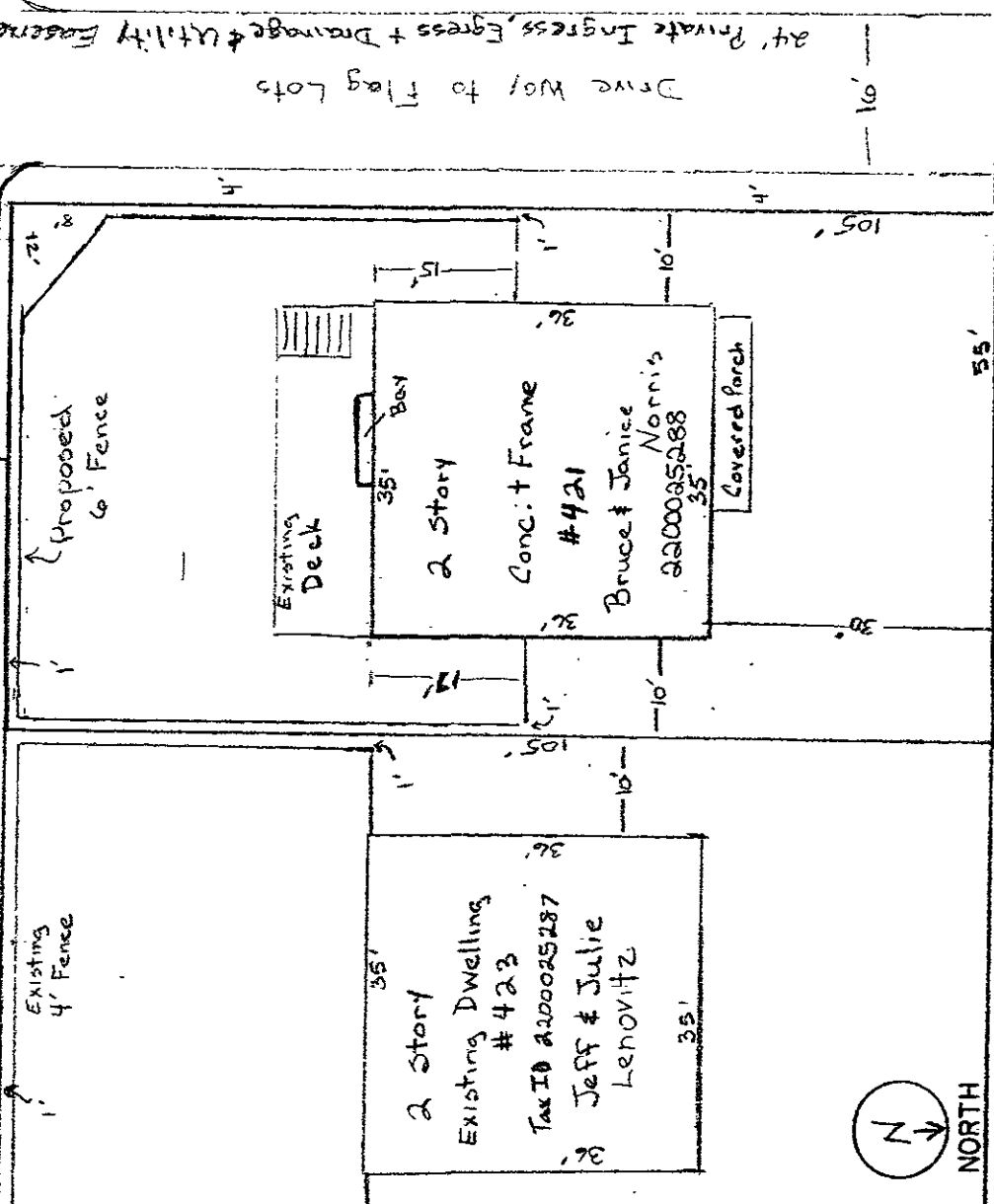
PROPERTY ADDRESS 421 Samantha's Court

SUBDIVISION NAME De Flora Property

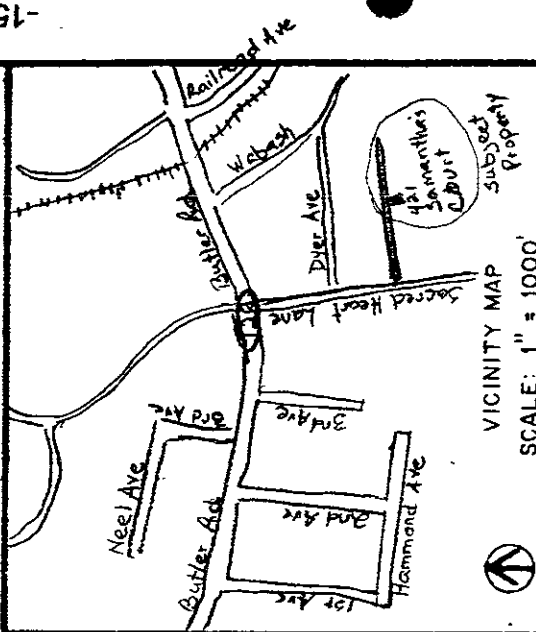
PLAT BOOK # 68 FOLIO # 67 LOT # 18 SECTION # 2

OWNER Bruce & Janice Norris

Existing: Dwellings #419
Eric & Heather Donatelli
2200025289



4' Private Ingress, Egress + Drainage & Utility Easement
Drive W/1 to Flag Lots



LOCATION INFORMATION

ELECTION DISTRICT 4th

COUNCILMANIC DISTRICT 3rd

1" = 200' SCALE MAP # NW116J + NORTH

ZONING D.R. 3.5

LOT SIZE 5775 SQUARE FEET

ACREAGE ☒ PUBLIC ☐ PRIVATE

SEWER ☒

WATER ☒

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN YES ☐ NO ☒

HISTORIC PROPERTY / BUILDING YES ☐ NO ☒

PRIOR ZONING HEARING YES ☐ NO ☒

ZONING OFFICE USE ONLY CASE #

REVIEWED BY ITEM #

D. Thompson 387 02-387-A

SAMANTHA'S COURT 50' R/W, N 86° 23' 30" E

PREPARED BY Janice Norris

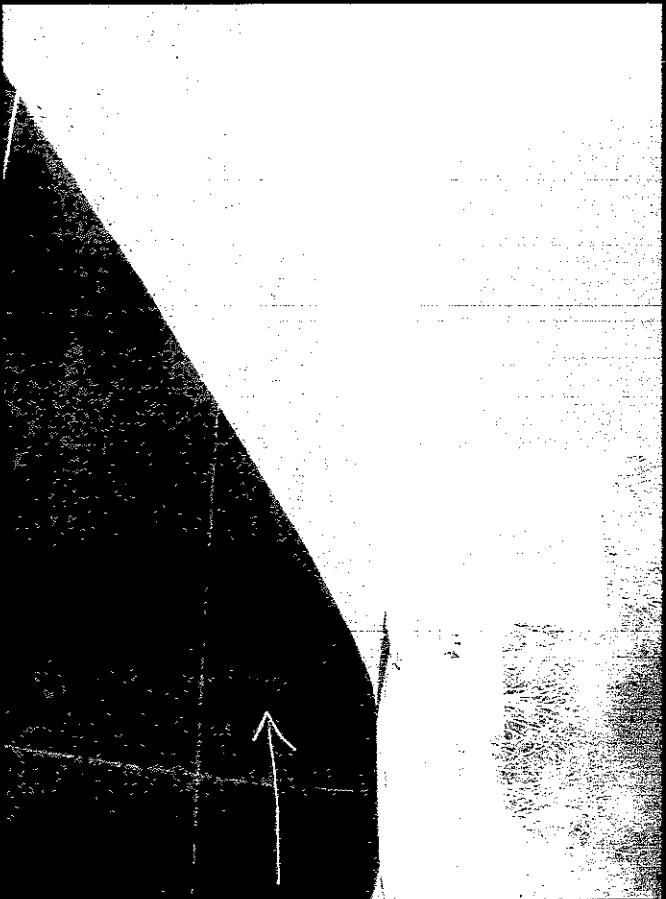
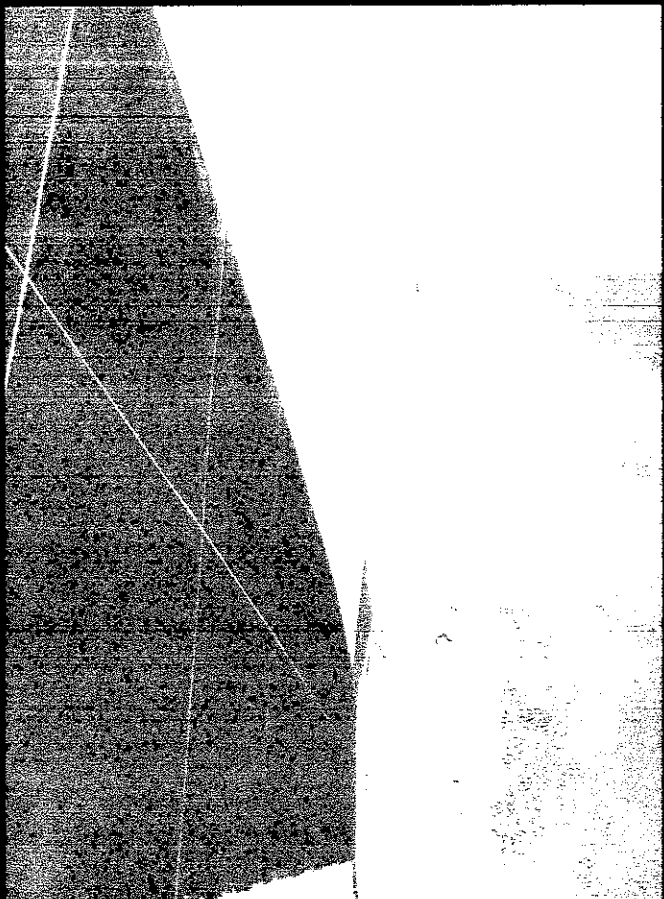
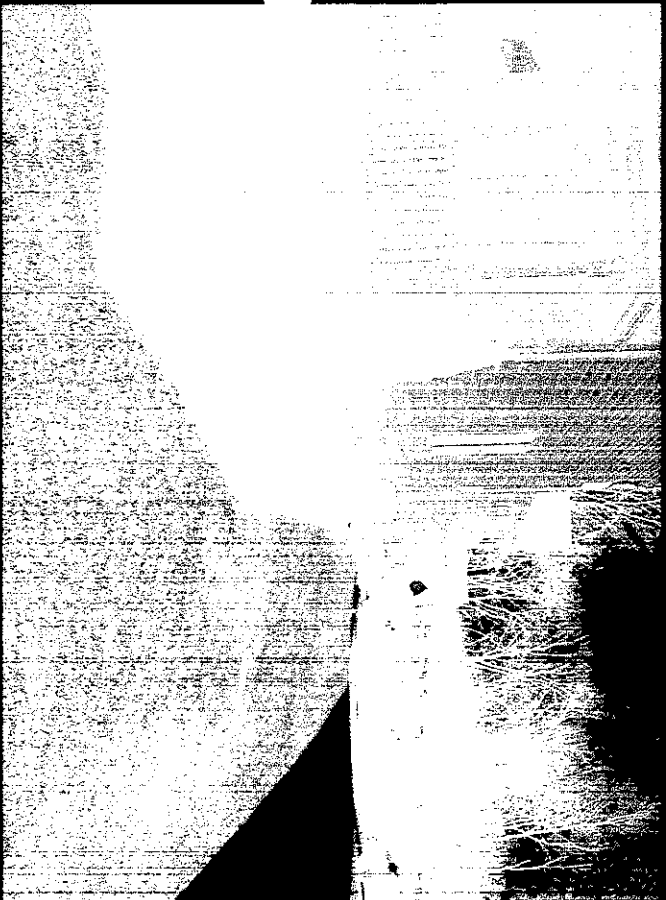
Janice Norris

SCALE OF DRAWING: 1" = 20'



NORTH

2002-03-11



PETTONER'S
HOME

2002-03-11

02-381-A

3/12/2002 8:41:13 PM

